

UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF PENNSYLVANIA

|                             |   |                             |
|-----------------------------|---|-----------------------------|
| RICHARD C. SMITH,           | : | No. 1:08-CV-1397            |
| Plaintiff                   | : |                             |
|                             | : |                             |
| v.                          | : | Civil Action – Law          |
|                             | : |                             |
| PRIME CARE MEDICAL, INC.,   | : |                             |
| CARL A. HOFFMAN, JR., D.O., | : |                             |
| THERESA M. HOFFMAN,         | : | Jury Trial Demanded         |
| JOSHUA D. LOCK, MARCY       | : |                             |
| HOFFMAN-SCHLEGEL, FRANK     | : | <i>Electronically Filed</i> |
| KOMYKOSKI, and KNIGHTS OF   | : |                             |
| VON DUKE, LTD.              | : |                             |
| Defendants                  | : |                             |

**STIPULATION OF VOLUNTARY DISMISSAL WITH PREJUDICE**

Plaintiff, Richard C. Smith, and Defendants, Prime Care Medical, Inc., Carl A. Hoffman, Jr., D.O., Theresa M. Hoffman, Joshua D. Lock, Marcy Hoffman-Schlegel, Frank Komykoski, and Knights of Von Duke, Ltd., by their undersigned counsel, and pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, hereby stipulate and agree that the above-captioned action is dismissed with prejudice, each party to bear their own costs.

Respectfully submitted,

/s/ Frank P. Clark, Esquire

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Attorneys for Plaintiff

/s/ Michael J. Crocenzi, Esquire

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Attorneys for Defendants

**APPROVED:**

**s/Yvette Kane**

United States District Chief Judge  
Yvette Kane